IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V. ESWARAIAH

WRIT PETITION NO : 20086 of 2004

Between:

Gaddam Jagath Reddy, S/o. Chinna Ganga Reddy, District Nizamabad, R/o.

H.No.4-73, POst Perkit, Armoor (M) District Nizamabad.

... PETITIONER

AND

1 The Jt. Registrar /District Co-Operative Officer, Nizamabad, Nizamabad

District.
2 The Dy. Registrar of Co-Op Societies, Nizamabad, Nizamabad District.
3 The Primary Agricultural Co-Op. Societies, Perkit, Armoor (M), Nizamabad

District.
4 The Registrar of Co-Op. Societies, Commissioner for Cooperations, Govt of

A.P., Gruhakalpa, Hyderabad.
5 The Govt of A.P., rep. by its Secretary, Agriculture and Cooperation Dept., Secretariat, Hyd.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate writ or order or direction more particularly one in the nature of writ of Mandamus; i) declaring the orders of the First Respondent issued in proceedings Rc.No.2372/2000-C, dt. 7.7.2004 in appointing the Official person-in-charge committee in the place of elected managing committee of the PACS Perkit, Armoor Mandal, Nizamabad District pursuant to the G.O.Rt.No.606 Agricultural and Cooperation Department dt. 3.7.2004, as illegal, arbitrary and unconstitutional and part from voilative of principles of natural justice and against the Mandatory provisions of Sec.31 of A.P.Co-OP Societies Act and Judgment of this Hon'ble Court one Ranga Reddy Vs. State of A.P. reported in AIR 1989 AP 81 and set aside the same and consequently; ii) Direct the 4th respondent to conduct elections to the primary agricultural Co-Op Society Ltd., Perkit, Mandal Armoor, Nizamabad District.

iii) Direct the respondents to continue the petitioner as Chairman of the person-in-charge committee of PACS., Perkit, Armoor Mandal, Nizamabad District, till elections are held to it, and.

Counsel for the Petitioner: MR.VENKAT REDDY THIPPARTHI

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following order:

ORDER:

Learned counsel appearing the petitioner as well as the respondents submits that in WP.No.12116 of 2004 and batch similar order has been questioned as the one in this writ petition with regard to appointing the Official Person-in-Charge in the place of the elected Managing Committee of the Primary Agricultural Cooperative Society. The said batch of writ petitions were dismissed by order dated 08.11.2004 against which the writ appeals have been filed.

Following the order dated 08.11.2004 made in WP.No.12116 of 2004 and batch, the writ petition is dismissed in terms thereof. No costs.

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V. ESWARAIAH, J

April 8, 2005

Dsk

To

1 The Joint Registrar /District Co-Operative Officer, Nizamabad, Nizamabad

District.

2 The Deputy Registrar of Co-Op Societies, Nizamabad, Nizamabad District.

3 The Registrar of Co-Op. Societies, Commissioner for Cooperation,

Government of A.P., Gruhakalpa, Hyderabad.

4 The Secretary, Government of A.P., Agriculture and Cooperation Dept., Secretariat, Hyderabad.

5 Two CCs to GP For Cooperation, High Court Buildings, Hyderabad (OUT)

Two CD Copies.